

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1347447-0

Total Deleted Page(s) = 6

Page 9 ~ Duplicate;
Page 11 ~ Duplicate;
Page 12 ~ Duplicate;
Page 13 ~ Duplicate;
Page 19 ~ Duplicate;
Page 23 ~ Duplicate;

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FEDERAL BUREAU OF INVESTIGATION
 UNITED STATES DEPARTMENT OF JUSTICE

Mr. Tolson
 Mr. Boardman
 Mr. Nichols
 Mr. Belmont
 Mr. Harbo
 Mr. Mohr
 Mr. Pease
 Mr. Rosen
 Mr. Tamm
 Mr. Schilder
 Mr. Tracy
 Mr. Tamm
 Mr. Rosen
 Mr. Tolson
 Mr. Tracy

AIRTEL

Transmit the following ~~Tel Type~~ message to:

FBI LOS ANGELES (82-)

DIRECTOR, FBI 4/4/55 4:00 p.m.

JOHN SPEARS KINLOCH; CHARLOTTA A. BASS, WAR RISK INSURANCE

(NATIONAL SERVICE LIFE INSURANCE.) USA, LA, ADVISED JOHN SPEARS KINLOCH, DECEASED VETERAN, WAS BORN 5/20/21. ENTERED U. S. ARMY 12/1/43, HAVING ARMY SERIAL NO. 39705276, AND WAS ISSUED NSL POLICY NO. 14831920. KINLOCH WAS KILLED IN ACTION 4/3/45. HIS BENEFICIARY WAS VICTORINE SPEARS KINLOCH, MOTHER, WHO RESIDED AT 62 W. 124TH ST., NEW YORK CITY. THE MOTHER RECEIVED 79 INSTALLMENTS ON THE POLICY UNTIL HER DEATH 10/25/51. JAMES M. KINLOCH IS HALF BROTHER OF DECEASED VETERAN AND IS DEFENDANT WITH THE U. S. GOVERNMENT IN CONTESTING PAYMENT OF REMAINING INSTALLMENTS TO CHARLOTTA A. BASS, SISTER OF VICTORINE. JAMES M. KINLOCH LAST KNOWN TO RESIDE AT 246 W. 128TH ST., NEW YORK CITY. USA, SDNY ADVISED USA, LA, THAT JAMES M. KINLOCH HAD DIED. USA, LA, REQUESTS COPY OF DEATH CERTIFICATE OF JAMES M. KINLOCH

HEW:jw

AIR MAIL

cc: 2-NEW YORK (AIR MAIL)

SE 1218
 RECORDED
 EX-116

APR 3 1955

Sent _____ M Per _____

Mr. Rosen

APR 13 1955
 Approved:

Special Agent in Charge

PAGE TWO

BE OBTAINED OR IF STILL ALIVE HIS PRESENT WHEREABOUTS
ASCERTAINED AND REPORTED IN ORDER THAT APPROPRIATE DEPOSITION
MAY BE OBTAINED FROM HIM. JAMES M. KINLOCH REPORTED TO HAVE
BEEN EMPLOYED AS A MAIL MAN IN NEW YORK CITY. HEARING IS
SET FOR 4/25/55 AT LA. NEW YORK EXPEDITE INVESTIGATION.

MALONE

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

RECEIVED - F. B. I.
APR 6 1953 PM '53
ACC'DG'S TO ATT'DG SEC.
U. S. DEPT. OF JUSTICE

Approved: _____ Sent: _____ M Per: _____
Special Agent in Charge

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

APR 8 1955

TELETYPE

~~WASH~~ FROM NEW YORK

5 8

1-26 AM

DIRECTOR DEFERRED

Mr. Jason
Mr. Boardman
Mr. Nichols
Mr. Belmont
Mr. Herbe
Mr. Melvin
Mr. Parry
~~Mr. Parker~~
Mr. Tamm
Mr. ...
Mr. ... crowd
Tom ...
Bill ... man

JOHN SPEARS KINLOCH, CHARLOTTA A. BASS, WAR RISK INSURANCE, NATIONAL SERVICE LIFE INSURANCE. RE LOS ANGELES AIRTEL TO BUREAU, APRIL FOUR, LAST. L. G. SAMPSON, ASSISTANT SUPERINTENDENT, PERSONNEL SECTION, UNITED STATES POST OFFICE, NYC, ADVISED THIS DATE THAT JAMES M. KINLOCH IS PRESENTLY EMPLOYED AS A POSTAL CLERK, AT THE COLLEGE STATION, TWO ONE SEVEN WEST FOUR ZERO NINE STREET, NEW YORK CITY, AND HE PRESENTLY RESIDES AT TWO FOUR SIX WEST ONE THREE EIGHT STREET, NEW YORK CITY. RUC.

KELLY

LOS ANGELES ADVISED

EEND

6 R

NY R S WA JCD

Mr. Rosen

RECORDED - 37

82-14787 2

APR 11 1955

67 MAY 13 1956

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

APR 8 1955

G. I. R. -7

WASH 10, Los Angeles 22-55
Report Submitted 4-22-55
Report for delayed see FBI
General's Show correct add. 4-22-55
WASH 10, NY 22-55
FROM NEW YORK

TELETYPE

8

1-12 PM

Mr. Tolson	_____
Mr. Boardman	_____
Mr. Nichols	_____
Mr. Belmont	_____
Mr. Harbo	_____
Mr. Mehr	_____
Mr. Parsons	_____
Mr. Rosen	_____
Mr. Tamm	_____
Mr. Sizoo	_____
Mr. Winterrowd	_____
Tele. Room	_____
Mr. Holloman	_____
Miss Gandy	_____

DIRECTOR URGENT

JOHN SPEARS KINLOCH, CHARLOTTA A. BASS., WAR RISK INSURANCE
NATIONAL SERVICE LIFE INSURANCE/. RE LOS ANGELES AIRTEL
TO BUREAU, APRIL FOUR, LAST, AND NY TELETYPE TO BUREAU, APRIL
SEVEN, LAST. CORRECT ADDRESS OF EMPLOYMENT OF JAMES M. KINLOCH
IS COLLEGE STATION, TWO ONE SEVEN WEST ONE HUNDRED FORTIETH ST.,
NYC. RUC.

KELLY

LOS ANGELES ADVISED

APR 8 1955

END

HOLD

NY R WA (MSD)

Mr. Rosen

600 AM 11 APR 1955
FBI - LOS ANGELES

74
142

82-14787-300
to [signature]
CIA SP/SA [signature]

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT **LOS ANGELES**

REPORT MADE AT LOS ANGELES	DATE WHEN MADE 4/20/55	PERIOD FOR WHICH MADE 4/4,8,18/55	REPORT MADE BY JAMES E. DALEY (A) JJW
TITLE CHANGED JOHN SPEARS KINLOCH-XC 3928-188 CHARLOTTA A. BASS VS. UNITED STATES; JAMES M. KINLOCH, Civil Action No. 16764-NM, U. S. District Court, Southern District of California		CHARACTER OF CASE WAR RISK INSURANCE (NATIONAL SERVICE LIFE INSURANCE)	
SYNOPSIS OF FACTS: National Service Life Insurance policy in amount of \$10,000 issued 12/3/43 to JOHN SPEARS KINLOCH, who was killed 4/3/45. Principal beneficiary, VICTORINE KINLOCH, mother on basis of her age elected to accept 120 installments of \$68.10 per month. VICTORINE KINLOCH died 10/25/51 after receiving 79 installments. Since father of veteran predeceased CHARLOTTA BASS, aunt of veteran, filed action for remaining 41 installments, but such payment contested by JAMES M. KINLOCH, half brother of veteran. USA requested verification that latter was living and information concerning correct address. JAMES M. KINLOCH residing 246 West 138th Street, NYC. Deposition will be taken from him by USA in New York.			
DETAILS: The title is marked changed to reflect the claim number of the veteran and the name under which civil action has been filed in U. S. District Court as reflected in the files of the U. S. Attorney at Los Angeles. Previous correspondence carried title as JOHN SPEARS KINLOCH; CHARLOTTA A. BASS.			
<u>At Los Angeles, California</u>			
By letter dated March 30, 1955, the United States Attorney advised that this matter was pending upon the District Court calendar for pre-trial proceedings with the next hearing set for April 25, 1955. He stated that co-defendant, JAMES M. KINLOCH, is the half brother of the veteran who was insured			
APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
COPIES OF THIS REPORT 3 Bureau 1 New York (Info.) 1 USA, Los Angeles 1 Los Angeles (82-2154)		10 APR 26 1955	RECORDED-52 SAC

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TO WHICH LOANED.

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT
LOS ANGELES

REPORT MADE AT LOS ANGELES	DATE WHEN MADE 6/20/55	PERIOD FOR WHICH MADE 6/7/55	REPORT MADE BY JAMES E. DALEY (A) 1jp
TITLE JOHN SPEARS KINLOCH-XC 3928-188 CHARLOTTE A BASS Vs. UNITED STATES; JAMES M KINLOCH, Civil Action No. 16764-WM, U. S. District Court, Southern District of California		CHARACTER OF CASE WAR RISK INSURANCE (NATIONAL SERVICE LIFE INSURANCE)	

SYNOPSIS OF FACTS:

Final hearing in this matter scheduled for 6/20/55.

- P -

DETAILS

AT LOS ANGELES:

A check of the civil docket Number 16764 WM in the office of the Clerk of the United States District Court reflected that on June 1, 1955 exhibits were filed by both the defendant and plaintiff. Assistant United States Attorney ANDREW DAVIS advised that a final hearing in this case was scheduled before Federal Judge WILLIAM C. MATHERS on June 20, 1955.

- P -

ICC UAS Conf in Sys. 6,
6/29/55 BLM/leg

APPROVED AND FORWARDED: J. J. X	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
		82-14787-5	RECORDED-89
COPIES OF THIS REPORT 3 - Bureau 1 - USA, Los Angeles 2 - Los Angeles (82-2154) 5 3 JUN 29 1955 7 23		¹¹¹⁵⁸ ^{6/29/55} ^{SPDR} ^{SPDR} ^{SPDR}	

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FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT LOS ANGELES

REPORT MADE AT LOS ANGELES	DATE WHEN MADE 7/1/55	PERIOD FOR WHICH MADE 6/28/55	REPORT MADE BY JAMES E. DALEY (A) jep
TITLE <i>JOHN SPEARS KINLOCH - XC 3928-188</i> <i>CHARLOTTA A. BASS Vs UNITED STATES;</i> <i>JAMES M. KINLOCH, Civil Action No. 16764-WM,</i>		CHARACTER OF CASE WAR RISK INSURANCE (NATIONAL SERVICE LIFE INSURANCE)	
U. S. District Court, Southern District of California			

SYNOPSIS OF FACTS:

On 6/20/55 United States District Court, Los Angeles, ruled that Plaintiff BASS stood in loco parentis to the deceased veteran and was entitled to the maximum payment permitted by law under the Veteran's National Service Life Policy. When principal beneficiary died there remained to be paid forty-one installments of \$68.10 each or \$2,792.10.

- C -

DETAILS:

At Los Angeles, California:

A check of civil docket number 16764 WM in the office of the Clerk of the United States District Court reflected that on June 20, 1955 the Court ruled that CHARLOTTA BASS stood in loco parentis to the deceased veteran and was, therefore, entitled to the maximum payment permitted by law under the Veteran's National Service Life Insurance Policy. Assistant United States Attorney ANDREW DAVIS advised that the above decision entitled CHARLOTTA BASS to the remaining unpaid monthly payments under the policy issued to JOHN SPEARS KINLOCH, to the exclusion of JAMES M. KINLOCH.

When the principal beneficiary, VICTORINE SPEARS KINLOCH, mother of the veteran died October 25, 1951 she had received seventy-nine installments of \$68.10 each, leaving forty-one installments to be paid or \$2,792.10 under the National Service Life Insurance Policy.

APPROVED AND FORWARDED: <i>93-M</i>		SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
COPIES OF THIS REPORT				
2-Bureau <i>1</i> 1-USA, Los Angeles 1-New York (Info.) 1-Los Angeles (82-2154)			<i>82-1487-6</i> <i>10 JUL 19 1955</i> <i>REC'D - 21</i> <i>601</i> <i>STAT. SHOT</i>	

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ADDRESS REPLY TO
UNITED STATES ATTORNEY
AND REFER TO
INQUIRIES AND NUMBER

AJD:drg

United States Department of Justice

UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF CALIFORNIA
600 FEDERAL BUILDING
LOS ANGELES 12

March 30, 1955

✓
Mr. John F. Malone
Special Agent in Charge
of F.B.I.
510 South Spring Street
Los Angeles, California

Re: Charlotte A. Bass v. United States
and James M. Kinloch, No. 16764-WM

Dear Sir:

The above-entitled matter is pending upon the District Court calendar for pre-trial proceedings with the next hearing set for April 25, 1955. The co-defendant, James M. Kinloch, is the father of a deceased veteran of the Armed Forces who was insured under a National Service Life Insurance policy.

In order to complete the pre-trial proceedings, we will need to have the testimony of the father who was last reported residing in New York City, New York. His occupation was that of a mailman in that city. In November of 1954, this office had correspondence with Mr. Kinloch in New York. Since that time, we have attempted to take his deposition but were unable to, due to the fact that he was reported dead.

In order to proceed with the pending action, we request an investigation to locate the present whereabouts of Mr. Kinloch if he is alive. In the event that it is determined that he has died, we will need documentary evidence of that fact also. For

82-2164-1

SEARCHED	INDEXED
SERIALIZED <i>MSC</i>	FILED <i>Par</i>
MAR 31 1955	
FBI - LOS ANGELES	

J. Kulan

-2-

further information in reference to this action
and your investigation, contact Assistant United
States Attorney, Andrew J. Davis, who is assigned
to the matter.

Very truly yours,

Laughlin E. Waters

LAUGHLIN E. WATERS
United States Attorney

8a

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
MAR 31 1955	
FBI - LOS ANGELES	

AIRTEL


FBI LOS ANGELES (82-)

DIRECTOR, FBI

4/4/55

4300 p.m.

DIRECTOR, FBI 4/4/55 4:00 p.m. 100-20874 * + many
John SPEARS KINLOCH; CHARLOTTA A. BASS, WAR RISK INSURANCE 8-2
(NATIONAL SERVICE LIFE INSURANCE.) USA, LA, ADVISED JOHN
SPEARS KINLOCH, DECEASED VETERAN, WAS BORN 5/20/21. ENTERED
U. S. ARMY 12/1/43, HAVING ARMY SERIAL NO. 39705276, AND
WAS ISSUED NSL POLICY NO. 14831920. KINLOCH WAS KILLED
IN ACTION 4/3/45. HIS BENEFICIARY WAS VICTORINE SPEARS
KINLOCH, MOTHER, WHO RESIDED AT 62 W. 124TH ST., NEW YORK
CITY. THE MOTHER RECEIVED 79 INSTALLMENTS ON THE POLICY
UNTIL HER DEATH 10/25/51. JAMES M. KINLOCH IS HALF BROTHER
OF DECEASED VETERAN AND IS DEFENDANT WITH THE U. S. GOVERNMENT
IN CONTESTING PAYMENT OF REMAINING INSTALLMENTS TO CHARLOTTA
A. BASS, SISTER OF VICTORINE. JAMES M. KINLOCH LAST KNOWN
TO RESIDE AT 246 W. 128TH ST., NEW YORK CITY. USA, SDNY
ADVISED USA, LA, THAT JAMES M. KINLOCH HAD DIED. USA, LA,
REQUESTS COPY OF DEATH CERTIFICATE OF JAMES M. KINLOCH

HEW & JMW

AIR MAIL

cc: 2-NEW YORK (AIR MAIL)

1400

82-2154

PAGE TWO

BE OBTAINED OR IF STILL ALIVE HIS PRESENT WHEREABOUTS
ASCERTAINED AND REPORTED IN ORDER THAT APPROPRIATE DEPOSITION
MAY BE OBTAINED FROM HIM. JAMES M. KINLOCH REPORTED TO HAVE
BEEN EMPLOYED AS A MAIL MAN IN NEW YORK CITY. HEARING IS
SET FOR 4/25/55 AT LA. NEW YORK EXPEDITE INVESTIGATION.

MALONE

DETAILS OF ABOVE OBTAINED BY SAA JAMES E. DALEY 4/1/55
FROM AUSA ANDREW J. DAVIS AT LA.

FBI NYC 4-8-55 1-22 AM JJM

SAC LOS ANGELES DEFERRED

✓ 82-2154-3
JOHN SPEARS KINLOCH, CHARLOTTA A. BASS, WAR RISK INSURANCE, /NATIONAL SERVICE LIFE INSURANCE/. RE LOS ANGELES AIRTEL TO BUREAU, APRIL FOUR, LAST. L. G. SAMPSON, ASSISTANT SUPERINTENDENT, PERSONNEL SECTION, UNITED STATES POST OFFICE, NYC, ADVISED THIS DATE THAT JAMES M. KINLOCH IS PRESENTLY EMPLOYED AS A POSTAL CLERK, AT THE COLLEGE STATION, TWO ONE SEVEN WEST FOUR ZERO NINE STREET, NEW YORK CITY, AND HE PRESENTLY RESIDES AT TWO FOUR SIX WEST ONE THREE EIGHT STREET, NEW YORK CITY. RUC.

KELLY

BUREAU ADVISED

END

OK FBI LA JR

*Deley advised
82-2154-3
4/8
JL
4/8/55
FBI - LOS ANGELES*

82-2154-3

SEARCHED	INDEXED
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APR 10 1955	
FBI - LOS ANGELES	

J Deley

FBI NEW YORK CITY 4-8-55 1-10 PM BM
SAC LOS ANGELES URGENT

82-2154*

JOHN SPEARS KINLOCH, CHARLOTTA A. BASS., WAR RISK INSURANCE
/NATIONAL SERVICE LIFE INSURANCE/. RE LOS ANGELES AIRTEL
TO BUREAU, APRIL FOUR, LAST, AND NY TELETYPE TO BUREAU, APRIL
SEVEN, LAST. CORRECT ADDRESS OF EMPLOYMENT OF JAMES M. KINLOCH
IS COLLEGE STATION, TWO ONE SEVEN WEST ONE HUNDRED FORTIETH ST.,
NYC. RUC.

KELLY

BUREAU ADVISED

END

OK FBI LA CJL

TUD

*Dalley advised
140 pm 4/8
Ans 4/8/55
over (see add)*

*Xer
4/8*

82-2154-4

SEARCHED	INDEXED
SERIALIZED	FILED
APR 10 1955	
FBI - LOS ANGELES	

[Signature]

6/6/55

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT

LOS ANGELES

REPORT MADE AT LOS ANGELES	DATE WHEN MADE 4/20/55	PERIOD FOR WHICH MADE 4/4, 8, 18/55	REPORT MADE BY JAMES E. DALEY (A) JJW
TITLE CHANGED JOHN SPEARS KINLOCH-XC 3928-188 CHARLOTTA A. BASS Vs. UNITED STATES; JAMES M. KINLOCH, Civil Action No. 16764-WM, U. S. District Court, Southern District of California		CHARACTER OF CASE WAR RISK INSURANCE (NATIONAL SERVICE LIFE INSURANCE)	
SYNOPSIS OF FACTS: National Service Life Insurance policy in amount of \$10,000 issued 12/3/43 to JOHN SPEARS KINLOCH, who was killed 4/3/45. Principal beneficiary, VICTORINE KINLOCH, mother on basis of her age elected to accept 120 installments of \$68.10 per month. VICTORINE KINLOCH died 10/25/51 after receiving 79 installments. Since father of veteran predeceased CHARLOTTA BASS, aunt of veteran, filed action for remaining 41 installments, but such payment contested by JAMES M. KINLOCH, half brother of veteran. USA requested verification that latter was living and information concerning correct address. JAMES M. KINLOCH residing 246 West 138th Street, NYC. Deposition will be taken from him by USA in New York.			
DETAILS: The title is marked changed to reflect the claim number of the veteran and the name under which civil action has been filed in U. S. District Court as reflected in the files of the U. S. Attorney at Los Angeles. Previous correspondence carried title as JOHN SPEARS KINLOCH; CHARLOTTA A. BASS. <u>At Los Angeles, California</u>			
By letter dated March 30, 1955, the United States Attorney advised that this matter was pending upon the District Court calendar for pre-trial proceedings with the next hearing set for April 25, 1955. He stated that co-defendant, JAMES M. KINLOCH, is the half brother of the veteran who was insured			
Form 0-1 <i>4/20/55</i>	<i>Agent in Charge Approved and forwarded Report by 4/21/55</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES 82 2154 5
COPIES OF THIS REPORT 3 Bureau 1 New York (Info.) 1 USA, Los Angeles 1 Los Angeles (82-2154) <i>fn</i>			

LA 82-2154

under a National Service Life Insurance policy. His testimony was needed to complete the pre-trial proceedings. JAMES M. KINLOCH was last reported residing in New York City and his occupation was that of a mailman. In November, 1954, the United States Attorney at Los Angeles had some correspondence with him but since that time he made efforts to have a deposition taken from him but was advised that he had died.

The United States Attorney stated that in order to proceed with the pending action he requested an investigation to determine if JAMES M. KINLOCH was living or documentary evidence of his death.

The New York Office of the Federal Bureau of Investigation advised on April 8, 1955 that JAMES M. KINLOCH was employed at that time as a postal clerk at the College Station, 217 West 140th Street, New York City, and that he was residing at 246 West 138th Street, New York City. This information was immediately furnished to Assistant United States Attorney ANDREW J. DAVIS who stated that he will take steps to have the United States Attorney in New York obtain a deposition from KINLOCH. Mr. DAVIS stated that he would request no further investigation at the present time.

A review of the file in this case in the Office of the United States Attorney reflected that the Veterans Administration submitted a Statement of Facts and Law relative to the matter of JOHN SPEARS KINLOCH, XC 3928-188, who was born May 30, 1921. He entered on duty in the United States Army in 1943 and was assigned serial number 39-705-276. On December 3, 1943, he was issued a National Service Life policy Number N 14-831-920 in the amount of \$10,000.00 with his mother, VICTORINE SPEARS KINLOCH, as principal beneficiary and JAMES S. KINLOCH, father, as contingent beneficiary, both residing at 62 West 124th Street, New York City. When the veteran was issued the policy he gave as his address 4075 South Central Avenue, Los Angeles, California.

JAMES S. KINLOCH, father of the veteran, died February 4, 1944 at the age of seventynine. After the death of the insured, the principal beneficiary elected to receive the

LA 82-2154

insurance under option one, on the basis of her age of sixty years, payable at the rate of \$68.10 per month in continuous life installments beginning April 3, 1945, with 120 installments certain to be paid. The principal beneficiary died October 25, 1951, after receiving a total of seventynine installments. The Veterans Administration advised that since the contingent beneficiary predeceased the principal beneficiary, the remaining fortyone installments are due and payable to the person or persons within the class specified. The Veterans Administration advised that CHARLOTTA BASS claimed that she was entitled to the remaining fortyone installments, but her claim was contested by JAMES M. KINLOCH, a half brother of the veteran who resided at 246 West 138th Street, New York City. CHARLOTTA BASS is the sister of the deceased veteran's mother. The Veterans Administration advised that there was no evidence that the mother of the veteran ever released parental control of the insured to CHARLOTTA BASS. He was living with the latter before he entered the United States Army to take advantage of better educational facilities in California.

On May 7, 1954, a complaint was filed by CHARLOTTA A. BASS, Civil Action No. 16764, in the United States District Court of the Southern District of California under the National Service Life Act of 1940 and World War Veterans Act of 1924. In her complaint she stated that the veteran was inducted into the armed forces on July 19, 1943. (Veterans Administration Statement of Facts shows EOD date as December 1, 1943.)

The complaint further set forth an order issued by the Superior Court of Los Angeles County on July 15, 1941 appointing her as a guardian of the veteran. She claims that with the death of the real parents of the insured she stands "in loco parentis" under the National Service Life Act of 1940.

-3- P

LA 82-2154

This case is being closed since the United States Attorney does not contemplate requesting any further investigation at this time and further because there will be no statistics to report in the form of recoveries since the government is committed to pay fortyone installments under the National Service Life Policy. The civil action filed is to determine to whom the installments should be paid.

One copy of this report is being designated for the New York Office for their information since JAMES M. KINLOCH resides within the jurisdiction of that office.

REFERENCE: Los Angeles airtel to Bureau and
New York, 4/4/55.
New York teletype to Los Angeles, 4/8/55

ADMINISTRATIVE PAGE

Office Memorandum • UNITED STATES GOVERNMENTTO *N*SAC, Los Angeles (82-2154)

DATE: April 29, 1955.

FROM : Director, FBI

SUBJECT: JOHN SPEARS KINLOCH-XC 3928-188
CHARLOTTA A. BASS vs. UNITED STATES;
JAMES M. KINLOCH, Civil Action No.
16764-WM, U. S. District Court,
Southern District of California
WAR RISK INSURANCE
(NATIONAL SERVICE LIFE INSURANCE)

Rerep SA James E. Daley, dated 4/20/55 at
Los Angeles.

Instant matter should remain pending so that your office may report the final disposition. For your information, it is possible that a savings may be recorded in this matter. If United States Government made payments to Charlotta A. Bass and at a later date it was determined that James M. Kinloch should have received such payments, the Government would be obligated to pay him. Inasmuch as the investigation in instant matter by your office has indicated that James M. Kinloch is alive, instant suit will enable the United States Government to resolve to whom the remaining installments of the National Service Life Insurance policy should be paid.

The status of rerep should, therefore, be changed to pending and you should report results of the court action as soon as information is received by your office.

It will not be necessary to submit amended pages since appropriate changes have been made on Bureau copies in ink.

82-2154-6
es
Daley 29

ADDRESS REPLY TO
UNITED STATES ATTORNEY
AND REFER TO
INITIALS AND NUMBER

United States Department of Justice

AJD:bsb

UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF CALIFORNIA
600 FEDERAL BUILDING
LOS ANGELES 12

May 5, 1955

✓ Mr. John F. Malone
Special Agent in Charge
Federal Bureau of Investigation
1340 W. 6th St.
Los Angeles, Calif.

Re: Bass v. United States, No. 16764-WM

Dear Sir:

Receipt is acknowledged of your Report dated April 20, 1955 in reference to the above entitled action.

The information contained in the above referred to Report constitutes all the information requested by this office for the case. Therefore, no further investigation is requested and you may mark your file closed.

We take this opportunity to express our appreciation of the work of Agent James E. Daley who handled the case for your office and informally furnished the present address of the co-defendant within a week.

Yours very truly,

Laughlin E. Waters

LAUGHLIN E. WATERS
United States Attorney

82-2154 - 7

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 6 1955	
FBI - LOS ANGELES	
J. E. Daley (P)	
(bsb)	

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT

LOS ANGELES

REPORT MADE AT <u>LOS ANGELES</u>	DATE WHEN MADE <u>6/20/55</u>	PERIOD FOR WHICH MADE <u>6/7/55</u>	REPORT MADE BY <u>JAMES E. DALEY (A)</u>
TITLE <u>JOHN SPEARS KINLOCH-XC 3928-183 CHARLOTTA A. BASS Vs. UNITED STATES; JAMES M. KINLOCH, Civil Action No. 16764-WM, U. S. District Court, Southern District of California</u>		CHARACTER OF CASE <u>WAR RISK INSURANCE (NATIONAL SERVICE LIFE INSURANCE)</u>	

SYNOPSIS OF FACTS:

Final hearing in this matter scheduled for 6/20/55.

- P -

DETAILS

AT LOS ANGELES:

A check of the civil docket Number 16764 WM in the office of the Clerk of the United States District Court reflected that on June 1, 1955 exhibits were filed by both the defendant and plaintiff. Assistant United States Attorney ANDREW DAVIS advised that a final hearing in this case was scheduled before Federal Judge WILLIAM C. MATHEWS on June 20, 1955.

- P -

17

APPROVED AND FORWARDED: <u>3.</u>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES		
		<u>82</u>	<u>2154</u>	<u>8</u>
COPIES OF THIS REPORT <u>3 - Bureau 1 - USA, Los Angeles ② - Los Angeles (82-2154)</u>				
		<u>Con</u>		
		<u>H. E. Deasy</u>		

LA 82-2154

UNDEVELOPED LEADS

LOS ANGELES OFFICE

AT LOS ANGELES, CALIFORNIA:

Will report the results of the final hearing in this case before Federal Judge WILLIAM C. MATHEWS June 20, 1955.

REFERENCE:

Report of SAA JAMES E. DALEY dated April 20, 1955 at Los Angeles.

ADMINISTRATIVE PAGE

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT **LOS ANGELES**

REPORT MADE AT LOS ANGELES	DATE WHEN MADE 7/14/55	PERIOD FOR WHICH MADE 6/28/55	REPORT MADE BY JAMES E. DALEY (A) Jep
TITLE JOHN SPEARS KINLOCH - XC 3928-188 CHARLOTTA A. BASS Vs UNITED STATES; JAMES M. KINLOCH, Civil Action No. 16764-WM, U. S. District Court, Southern District of California.		CHARACTER OF CASE WAR RISK INSURANCE (NATIONAL SERVICE LIFE INSURANCE)	

SYNOPSIS OF FACTS:

On 6/20/55 United States District Court, Los Angeles, ruled that Plaintiff BASS stood in loco parentis to the deceased veteran and was entitled to the maximum payment permitted by law under the Veteran's National Service Life Policy. When principal beneficiary died there remained to be paid forty-one installments of \$68.10 each or \$2,792.10.

- C -

DETAILS:

At Los Angeles, California:

A check of civil docket number 16764 WM in the office of the Clerk of the United States District Court reflected that on June 20, 1955 the Court ruled that CHARLOTTA BASS stood in loco parentis to the deceased veteran and was, therefore, entitled to the maximum payment permitted by law under the Veteran's National Service Life Insurance Policy. Assistant United States Attorney ANDREW DAVIS advised that the above decision entitled CHARLOTTA BASS to the remaining unpaid monthly payments under the policy issued to JOHN SPEARS KINLOCH, to the exclusion of JAMES M. KINLOCH.

When the principal beneficiary, VICTORINE SPEARS KINLOCH, mother of the veteran died October 25, 1951 she had received seventy-nine installments of \$68.10 each, leaving forty-one installments to be paid or \$2,792.10 under the National Service Life Insurance Policy.

- C -

APPROVED AND FORWARDED: <i>82-2154</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES <i>82-2154-9</i>		
COPIES OF THIS REPORT 2-Bureau 1-USA, Los Angeles 1-New York (Info.) 1-Los Angeles (82-2154) <i>JEP</i>				
		<i>J. E. Daley 60</i>		

LA 82-2154

ADMINISTRATIVE

This case had remained in a pending status in the Los Angeles Office to determine whether CHARLOTTA BASS or JAMES M. KINLOCH would be entitled to the remaining installments after the death of the principal beneficiary of the veteran.

One copy of this report is being designated for the New York Office for their information since defendant JAMES M. KINLOCH resides within the jurisdiction of that office.

REFERENCE

Report of SA JAMES E. DALEY (A) dated June 20, 1955 at Los Angeles.

ADMINISTRATIVE PAGE

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
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FOI/PA# 1380788-0

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Page 12 ~ Duplicate;
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FEDERAL BUREAU OF INVESTIGATION
 UNITED STATES DEPARTMENT OF JUSTICE

Mr. Tolson
 Mr. Boardman
 Mr. Nichols
 Mr. Belmont
 Mr. Harbo
 Mr. Mohr
 Mr. Pease
 Mr. Rosen
 Mr. Tamm
 Mr. Schilder
 Mr. Tracy
 Mr. Tamm
 Mr. Rosen
 Mr. Tolson
 Mr. Tracy

AIRTEL

Transmit the following ~~Tel Type~~ message to:

FBI LOS ANGELES (82-)

DIRECTOR, FBI 4/4/55 4:00 p.m.

JOHN SPEARS KINLOCH; CHARLOTTA A. BASS, WAR RISK INSURANCE

(NATIONAL SERVICE LIFE INSURANCE.) USA, LA, ADVISED JOHN SPEARS KINLOCH, DECEASED VETERAN, WAS BORN 5/20/21. ENTERED U. S. ARMY 12/1/43, HAVING ARMY SERIAL NO. 39705276, AND WAS ISSUED NSL POLICY NO. 14831920. KINLOCH WAS KILLED IN ACTION 4/3/45. HIS BENEFICIARY WAS VICTORINE SPEARS KINLOCH, MOTHER, WHO RESIDED AT 62 W. 124TH ST., NEW YORK CITY. THE MOTHER RECEIVED 79 INSTALLMENTS ON THE POLICY UNTIL HER DEATH 10/25/51. JAMES M. KINLOCH IS HALF BROTHER OF DECEASED VETERAN AND IS DEFENDANT WITH THE U. S. GOVERNMENT IN CONTESTING PAYMENT OF REMAINING INSTALLMENTS TO CHARLOTTA A. BASS, SISTER OF VICTORINE. JAMES M. KINLOCH LAST KNOWN TO RESIDE AT 246 W. 128TH ST., NEW YORK CITY. USA, SDNY ADVISED USA, LA, THAT JAMES M. KINLOCH HAD DIED. USA, LA, REQUESTS COPY OF DEATH CERTIFICATE OF JAMES M. KINLOCH

HEW:jw

AIR MAIL

cc: 2-NEW YORK (AIR MAIL)

SE 1218
 RECORDED
 EX-116

APR 3 1955

Sent _____ M Per _____

Mr. Rosen

APR 13 1955
 Approved:

Special Agent in Charge

PAGE TWO

BE OBTAINED OR IF STILL ALIVE HIS PRESENT WHEREABOUTS
ASCERTAINED AND REPORTED IN ORDER THAT APPROPRIATE DEPOSITION
MAY BE OBTAINED FROM HIM. JAMES M. KINLOCH REPORTED TO HAVE
BEEN EMPLOYED AS A MAIL MAN IN NEW YORK CITY. HEARING IS
SET FOR 4/25/55 AT LA. NEW YORK EXPEDITE INVESTIGATION.

MALONE

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

RECEIVED - F. B. I.
APR 6 1953 PM '53
ACC'DG'S TO ATT'DG SEC.
U. S. DEPT. OF JUSTICE

Approved: _____ Sent: _____ M Per: _____
Special Agent in Charge

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

APR 8 1955

TELETYPE

~~WASH FROM NEW YORK~~

5 8

1-26 AM

DIRECTOR DEFERRED

Mr. Jason
Mr. Boardman
Mr. Nichols
Mr. Belmont
Mr. Herbe
Mr. Melvin
Mr. Parry
~~Mr. Parker~~
Mr. Tamm
Mr. ...
Mr. ... crowd
Tom ...
Bill ... man

JOHN SPEARS KINLOCH, CHARLOTTA A. BASS, WAR RISK INSURANCE, NATIONAL SERVICE LIFE INSURANCE/. RE LOS ANGELES AIRTEL TO BUREAU, APRIL FOUR, LAST. L. G. SAMPSON, ASSISTANT SUPERINTENDENT, PERSONNEL SECTION, UNITED STATES POST OFFICE, NYC, ADVISED THIS DATE THAT JAMES M. KINLOCH IS PRESENTLY EMPLOYED AS A POSTAL CLERK, AT THE COLLEGE STATION, TWO ONE SEVEN WEST FOUR ZERO NINE STREET, NEW YORK CITY, AND HE PRESENTLY RESIDES AT TWO FOUR SIX WEST ONE THREE EIGHT STREET, NEW YORK CITY. RUC.

KELLY

LOS ANGELES ADVISED

EEND

6 R

NY R S WA JCD

Mr. Rosen

RECORDED - 37

82-14787 2

APR 11 1955

67 MAY 13 1955

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

APR 8 1955

G. I. R. -7

WASH 10, Los Angeles 22-55
Report Submitted 4-22-55
Report for delayed see FBI
General's Show correct add. 4-22-55
WASH 10, FROM NEW YORK

TELETYPE

8

1-12 PM

Mr. Tolson	_____
Mr. Boardman	_____
Mr. Nichols	_____
Mr. Belmont	_____
Mr. Harbo	_____
Mr. Mehr	_____
Mr. Parsons	_____
Mr. Rosen	_____
Mr. Tamm	_____
Mr. Sizoo	_____
Mr. Winterrowd	_____
Tele. Room	_____
Mr. Holloman	_____
Miss Gandy	_____

DIRECTOR URGENT

JOHN SPEARS KINLOCH, CHARLOTTA A. BASS., WAR RISK INSURANCE
NATIONAL SERVICE LIFE INSURANCE/. RE LOS ANGELES AIRTEL
TO BUREAU, APRIL FOUR, LAST, AND NY TELETYPE TO BUREAU, APRIL
SEVEN, LAST. CORRECT ADDRESS OF EMPLOYMENT OF JAMES M. KINLOCH
IS COLLEGE STATION, TWO ONE SEVEN WEST ONE HUNDRED FORTIETH ST.,
NYC. RUC.

KELLY

LOS ANGELES ADVISED

APR 8 1955

END

HOLD

NY R WA (MSD)

Mr. Rosen

600 AM 11 APR 1955
FBI - LOS ANGELES

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142

16-117
82-14787-30m
X
CIA SP/SAgent

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT **LOS ANGELES**

REPORT MADE AT LOS ANGELES	DATE WHEN MADE 4/20/55	PERIOD FOR WHICH MADE 4/4,8,18/55	REPORT MADE BY JAMES E. DALEY (A) JJW
TITLE CHANGED JOHN SPEARS KINLOCH-XC 3928-188 CHARLOTTA A. BASS VS. UNITED STATES; JAMES M. KINLOCH, Civil Action No. 16764-NM, U. S. District Court, Southern District of California		CHARACTER OF CASE WAR RISK INSURANCE (NATIONAL SERVICE LIFE INSURANCE)	
SYNOPSIS OF FACTS: National Service Life Insurance policy in amount of \$10,000 issued 12/3/43 to JOHN SPEARS KINLOCH, who was killed 4/3/45. Principal beneficiary, VICTORINE KINLOCH, mother on basis of her age elected to accept 120 installments of \$68.10 per month. VICTORINE KINLOCH died 10/25/51 after receiving 79 installments. Since father of veteran predeceased CHARLOTTA BASS, aunt of veteran, filed action for remaining 41 installments, but such payment contested by JAMES M. KINLOCH, half brother of veteran. USA requested verification that latter was living and information concerning correct address. JAMES M. KINLOCH residing 246 West 138th Street, NYC. Deposition will be taken from him by USA in New York.			
DETAILS: The title is marked changed to reflect the claim number of the veteran and the name under which civil action has been filed in U. S. District Court as reflected in the files of the U. S. Attorney at Los Angeles. Previous correspondence carried title as JOHN SPEARS KINLOCH; CHARLOTTA A. BASS. <u>At Los Angeles, California</u> By letter dated March 30, 1955, the United States Attorney advised that this matter was pending upon the District Court calendar for pre-trial proceedings with the next hearing set for April 25, 1955. He stated that co-defendant, JAMES M. KINLOCH, is the half brother of the veteran who was insured			
APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
COPIES OF THIS REPORT 3 Bureau 1 New York (Info.) 1 USA, Los Angeles 1 Los Angeles (82-2154)		10 APR 26 1955 RECORDED-52 SAC	

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TO WHICH LOANED.

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT
LOS ANGELES

REPORT MADE AT LOS ANGELES	DATE WHEN MADE 6/20/55	PERIOD FOR WHICH MADE 6/7/55	REPORT MADE BY JAMES E. DALEY (A) 1jp
TITLE JOHN SPEARS KINLOCH-XC 3928-188 CHARLOTTE A BASS Vs. UNITED STATES; JAMES M KINLOCH, Civil Action No. 16764-WM, U. S. District Court, Southern District of California		CHARACTER OF CASE WAR RISK INSURANCE (NATIONAL SERVICE LIFE INSURANCE)	

SYNOPSIS OF FACTS:

Final hearing in this matter scheduled for 6/20/55.

- P -

DETAILS

AT LOS ANGELES:

A check of the civil docket Number 16764 WM in the office of the Clerk of the United States District Court reflected that on June 1, 1955 exhibits were filed by both the defendant and plaintiff. Assistant United States Attorney ANDREW DAVIS advised that a final hearing in this case was scheduled before Federal Judge WILLIAM C. MATHERS on June 20, 1955.

- P -

ICC UAS Conf in Sys. 6,
6/29/55 BLM/leg

APPROVED AND FORWARDED: J. J. X	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
		82-14787-5	RECORDED-89
COPIES OF THIS REPORT 3 - Bureau 1 - USA, Los Angeles 2 - Los Angeles (82-2154) 5 3 JUN 29 1955 7 23		¹¹¹⁵⁸ ^{6/29/55} ^{SPDR} ^{SPDR} ^{SPDR}	

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FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT LOS ANGELES

REPORT MADE AT LOS ANGELES	DATE WHEN MADE 7/1/55	PERIOD FOR WHICH MADE 6/28/55	REPORT MADE BY JAMES E. DALEY (A) jep
TITLE JOHN SPEARS KINLOCH - XC 3928-188 CHARLOTTA A. BASS Vs UNITED STATES; JAMES M. KINLOCH, Civil Action No. 16764-WM,		CHARACTER OF CASE WAR RISK INSURANCE (NATIONAL SERVICE LIFE INSURANCE)	
U. S. District Court, Southern District of California			

SYNOPSIS OF FACTS:

On 6/20/55 United States District Court, Los Angeles, ruled that Plaintiff BASS stood in loco parentis to the deceased veteran and was entitled to the maximum payment permitted by law under the Veteran's National Service Life Policy. When principal beneficiary died there remained to be paid forty-one installments of \$68.10 each or \$2,792.10.

- C -

DETAILS:

At Los Angeles, California:

A check of civil docket number 16764 WM in the office of the Clerk of the United States District Court reflected that on June 20, 1955 the Court ruled that CHARLOTTA BASS stood in loco parentis to the deceased veteran and was, therefore, entitled to the maximum payment permitted by law under the Veteran's National Service Life Insurance Policy. Assistant United States Attorney ANDREW DAVIS advised that the above decision entitled CHARLOTTA BASS to the remaining unpaid monthly payments under the policy issued to JOHN SPEARS KINLOCH, to the exclusion of JAMES M. KINLOCH.

When the principal beneficiary, VICTORINE SPEARS KINLOCH, mother of the veteran died October 25, 1951 she had received seventy-nine installments of \$68.10 each, leaving forty-one installments to be paid or \$2,792.10 under the National Service Life Insurance Policy.

APPROVED AND FORWARDED: 93-M		SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
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2-Bureau 1 1-USA, Los Angeles 1-New York (Info.) 1-Los Angeles (82-2154)			82-1487-6 10 JUL 19 1955 <i>[Handwritten Signature]</i> RECORDED - 21 601 <i>STAT. SHOT</i>	

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ADDRESS REPLY TO
UNITED STATES ATTORNEY
AND REFER TO
INQUIRIES AND NUMBER

AJD:drg

TAM

United States Department of Justice

UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF CALIFORNIA
600 FEDERAL BUILDING
LOS ANGELES 12

March 30, 1955

✓
Mr. John F. Malone
Special Agent in Charge
of F.B.I.
510 South Spring Street
Los Angeles, California

Re: Charlotte A. Bass v. United States
and James M. Kinloch, No. 16764-WM

Dear Sir:

The above-entitled matter is pending upon the District Court calendar for pre-trial proceedings with the next hearing set for April 25, 1955. The co-defendant, James M. Kinloch, is the father of a deceased veteran of the Armed Forces who was insured under a National Service Life Insurance policy.

In order to complete the pre-trial proceedings, we will need to have the testimony of the father who was last reported residing in New York City, New York. His occupation was that of a mailman in that city. In November of 1954, this office had correspondence with Mr. Kinloch in New York. Since that time, we have attempted to take his deposition but were unable to, due to the fact that he was reported dead.

In order to proceed with the pending action, we request an investigation to locate the present whereabouts of Mr. Kinloch if he is alive. In the event that it is determined that he has died, we will need documentary evidence of that fact also. For

82-2164-1

SEARCHED	INDEXED
SERIALIZED <i>MSC</i>	FILED <i>Par</i>
MAR 31 1955	
FBI - LOS ANGELES	

J. Kulan

-2-

further information in reference to this action
and your investigation, contact Assistant United
States Attorney, Andrew J. Davis, who is assigned
to the matter.

Very truly yours,

Laughlin E. Waters

LAUGHLIN E. WATERS
United States Attorney

8a

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
MAR 31 1955	
FBI - LOS ANGELES	

AIRTEL

FBI LOS ANGELES (82-)

DIRECTOR, FBI

4/4/55

4:00 p.m.

DIRECTOR, FBI 4/4/55 4:00 p.m. 100-20874 * + many
if. mo
JOHN SPEARS KINLOCH; CHARLOTTA A. BASS, WAR RISK INSURANCE 8-2
(NATIONAL SERVICE LIFE INSURANCE.) USA, LA, ADVISED JOHN
SPEARS KINLOCH, DECEASED VETERAN, WAS BORN 5/20/21. ENTERED
U. S. ARMY 12/1/43, HAVING ARMY SERIAL NO. 39705276, AND
WAS ISSUED NSL POLICY NO. 14831920. KINLOCH WAS KILLED
IN ACTION 4/3/45. HIS BENEFICIARY WAS VICTORINE SPEARS
KINLOCH, MOTHER, WHO RESIDED AT 62 W. 124TH ST., NEW YORK
CITY. THE MOTHER RECEIVED 79 INSTALLMENTS ON THE POLICY
UNTIL HER DEATH 10/25/51. JAMES M. KINLOCH IS HALF BROTHER
OF DECEASED VETERAN AND IS DEFENDANT WITH THE U. S. GOVERNMENT
IN CONTESTING PAYMENT OF REMAINING INSTALLMENTS TO CHARLOTTA
A. BASS, SISTER OF VICTORINE. JAMES M. KINLOCH LAST KNOWN
TO RESIDE AT 246 W. 128TH ST., NEW YORK CITY. USA, SDNY
ADVISED USA, LA, THAT JAMES M. KINLOCH HAD DIED. USA, LA,
REQUESTS COPY OF DEATH CERTIFICATE OF JAMES M. KINLOCH

HEW 1.1M

AIR MAIL

~~cc: 2-NEW YORK (AIR MAIL)~~

1400

82-2154

Per ~~not~~ for today at
82-2154-2

PAGE TWO

BE OBTAINED OR IF STILL ALIVE HIS PRESENT WHEREABOUTS
ASCERTAINED AND REPORTED IN ORDER THAT APPROPRIATE DEPOSITION
MAY BE OBTAINED FROM HIM. JAMES M. KINLOCH REPORTED TO HAVE
BEEN EMPLOYED AS A MAIL MAN IN NEW YORK CITY. HEARING IS
SET FOR 4/25/55 AT LA. NEW YORK EXPEDITE INVESTIGATION.

MALONE

DETAILS OF ABOVE OBTAINED BY SAA JAMES E. DALEY 4/1/55
FROM AUSA ANDREW J. DAVIS AT LA.

FBI NYC 4-8-55 1-22 AM JJM

SAC LOS ANGELES DEFERRED

✓ 82-2154-3
JOHN SPEARS KINLOCH, CHARLOTTA A. BASS, WAR RISK INSURANCE, /NATIONAL SERVICE LIFE INSURANCE/. RE LOS ANGELES AIRTEL TO BUREAU, APRIL FOUR, LAST. L. G. SAMPSON, ASSISTANT SUPERINTENDENT, PERSONNEL SECTION, UNITED STATES POST OFFICE, NYC, ADVISED THIS DATE THAT JAMES M. KINLOCH IS PRESENTLY EMPLOYED AS A POSTAL CLERK, AT THE COLLEGE STATION, TWO ONE SEVEN WEST FOUR ZERO NINE STREET, NEW YORK CITY, AND HE PRESENTLY RESIDES AT TWO FOUR SIX WEST ONE THREE EIGHT STREET, NEW YORK CITY. RUC.

KELLY

BUREAU ADVISED

END

OK FBI LA JR

*Deley advised
82-2154-3
4/8
JL
4/8/55
FBI - LOS ANGELES*

82-2154-3

SEARCHED	INDEXED
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FBI - LOS ANGELES	

J Deley

FBI NEW YORK CITY 4-8-55 1-10 PM BM
SAC LOS ANGELES URGENT

82-2154*

JOHN SPEARS KINLOCH, CHARLOTTA A. BASS., WAR RISK INSURANCE
/NATIONAL SERVICE LIFE INSURANCE/. RE LOS ANGELES AIRTEL
TO BUREAU, APRIL FOUR, LAST, AND NY TELETYPE TO BUREAU, APRIL
SEVEN, LAST. CORRECT ADDRESS OF EMPLOYMENT OF JAMES M. KINLOCH
IS COLLEGE STATION, TWO ONE SEVEN WEST ONE HUNDRED FORTIETH ST.,
NYC. RUC.

KELLY

BUREAU ADVISED

END

OK FBI LA CJL

TUD

*Dalley advised
140 pm 4/8
Ans 4/8/55
over (see add)*

*Xer
4/8*

82-2154-4

SEARCHED	INDEXED
SERIALIZED	FILED
APR 10 1955	
FBI - LOS ANGELES	

[Signature]

6/6/55

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT

LOS ANGELES

REPORT MADE AT LOS ANGELES	DATE WHEN MADE 4/20/55	PERIOD FOR WHICH MADE 4/4, 8, 18/55	REPORT MADE BY JAMES E. DALEY (A) JJW
TITLE CHANGED JOHN SPEARS KINLOCH-XC 3928-188 CHARLOTTA A. BASS Vs. UNITED STATES; JAMES M. KINLOCH, Civil Action No. 16764-WM, U. S. District Court, Southern District of California		CHARACTER OF CASE WAR RISK INSURANCE (NATIONAL SERVICE LIFE INSURANCE)	
SYNOPSIS OF FACTS: National Service Life Insurance policy in amount of \$10,000 issued 12/3/43 to JOHN SPEARS KINLOCH, who was killed 4/3/45. Principal beneficiary, VICTORINE KINLOCH, mother on basis of her age elected to accept 120 installments of \$68.10 per month. VICTORINE KINLOCH died 10/25/51 after receiving 79 installments. Since father of veteran predeceased CHARLOTTA BASS, aunt of veteran, filed action for remaining 41 installments, but such payment contested by JAMES M. KINLOCH, half brother of veteran. USA requested verification that latter was living and information concerning correct address. JAMES M. KINLOCH residing 246 West 138th Street, NYC. Deposition will be taken from him by USA in New York.			
DETAILS: The title is marked changed to reflect the claim number of the veteran and the name under which civil action has been filed in U. S. District Court as reflected in the files of the U. S. Attorney at Los Angeles. Previous correspondence carried title as JOHN SPEARS KINLOCH; CHARLOTTA A. BASS. <u>At Los Angeles, California</u>			
By letter dated March 30, 1955, the United States Attorney advised that this matter was pending upon the District Court calendar for pre-trial proceedings with the next hearing set for April 25, 1955. He stated that co-defendant, JAMES M. KINLOCH, is the half brother of the veteran who was insured			
Form 0-1 <i>4/20/55</i>	<i>Agent in Charge notified by telephone</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES 82 2154 5
APPROVED AND FORWARDED: <i>4/20/55</i>	<i>Approved by telephone</i>	COPIES OF THIS REPORT	
3 Bureau 1 New York (Info.) 1 USA, Los Angeles 1 Los Angeles (82-2154) <i>fn</i>			

LA 82-2154

under a National Service Life Insurance policy. His testimony was needed to complete the pre-trial proceedings. JAMES M. KINLOCH was last reported residing in New York City and his occupation was that of a mailman. In November, 1954, the United States Attorney at Los Angeles had some correspondence with him but since that time he made efforts to have a deposition taken from him but was advised that he had died.

The United States Attorney stated that in order to proceed with the pending action he requested an investigation to determine if JAMES M. KINLOCH was living or documentary evidence of his death.

The New York Office of the Federal Bureau of Investigation advised on April 8, 1955 that JAMES M. KINLOCH was employed at that time as a postal clerk at the College Station, 217 West 140th Street, New York City, and that he was residing at 246 West 138th Street, New York City. This information was immediately furnished to Assistant United States Attorney ANDREW J. DAVIS who stated that he will take steps to have the United States Attorney in New York obtain a deposition from KINLOCH. Mr. DAVIS stated that he would request no further investigation at the present time.

A review of the file in this case in the Office of the United States Attorney reflected that the Veterans Administration submitted a Statement of Facts and Law relative to the matter of JOHN SPEARS KINLOCH, XC 3928-188, who was born May 30, 1921. He entered on duty in the United States Army in 1943 and was assigned serial number 39-705-276. On December 3, 1943, he was issued a National Service Life policy Number N 14-831-920 in the amount of \$10,000.00 with his mother, VICTORINE SPEARS KINLOCH, as principal beneficiary and JAMES S. KINLOCH, father, as contingent beneficiary, both residing at 62 West 124th Street, New York City. When the veteran was issued the policy he gave as his address 4075 South Central Avenue, Los Angeles, California.

JAMES S. KINLOCH, father of the veteran, died February 4, 1944 at the age of seventynine. After the death of the insured, the principal beneficiary elected to receive the

LA 82-2154

insurance under option one, on the basis of her age of sixty years, payable at the rate of \$68.10 per month in continuous life installments beginning April 3, 1945, with 120 installments certain to be paid. The principal beneficiary died October 25, 1951, after receiving a total of seventynine installments. The Veterans Administration advised that since the contingent beneficiary predeceased the principal beneficiary, the remaining fortyone installments are due and payable to the person or persons within the class specified. The Veterans Administration advised that CHARLOTTA BASS claimed that she was entitled to the remaining fortyone installments, but her claim was contested by JAMES M. KINLOCH, a half brother of the veteran who resided at 246 West 138th Street, New York City. CHARLOTTA BASS is the sister of the deceased veteran's mother. The Veterans Administration advised that there was no evidence that the mother of the veteran ever released parental control of the insured to CHARLOTTA BASS. He was living with the latter before he entered the United States Army to take advantage of better educational facilities in California.

On May 7, 1954, a complaint was filed by CHARLOTTA A. BASS, Civil Action No. 16764, in the United States District Court of the Southern District of California under the National Service Life Act of 1940 and World War Veterans Act of 1924. In her complaint she stated that the veteran was inducted into the armed forces on July 19, 1943. (Veterans Administration Statement of Facts shows EOD date as December 1, 1943.)

The complaint further set forth an order issued by the Superior Court of Los Angeles County on July 15, 1941 appointing her as a guardian of the veteran. She claims that with the death of the real parents of the insured she stands "in loco parentis" under the National Service Life Act of 1940.

-3- P

LA 82-2154

This case is being closed since the United States Attorney does not contemplate requesting any further investigation at this time and further because there will be no statistics to report in the form of recoveries since the government is committed to pay fortyone installments under the National Service Life Policy. The civil action filed is to determine to whom the installments should be paid.

One copy of this report is being designated for the New York Office for their information since JAMES M. KINLOCH resides within the jurisdiction of that office.

REFERENCE: Los Angeles airtel to Bureau and
New York, 4/4/55.
New York teletype to Los Angeles, 4/8/55

ADMINISTRATIVE PAGE

Office Memorandum • UNITED STATES GOVERNMENT

TO **N**SAC, Los Angeles (82-2154)

DATE: April 29, 1955.

FROM : Director, FBI

SUBJECT: JOHN SPEARS KINLOCH-XC 3928-188
CHARLOTTA A. BASS vs. UNITED STATES;
JAMES M. KINLOCH, Civil Action No.
16764-WM, U. S. District Court,
Southern District of California
WAR RISK INSURANCE
(NATIONAL SERVICE LIFE INSURANCE)

Rerep SA James E. Daley, dated 4/20/55 at
Los Angeles.

Instant matter should remain pending so that your office may report the final disposition. For your information, it is possible that a savings may be recorded in this matter. If United States Government made payments to Charlotta A. Bass and at a later date it was determined that James M. Kinloch should have received such payments, the Government would be obligated to pay him. Inasmuch as the investigation in instant matter by your office has indicated that James M. Kinloch is alive, instant suit will enable the United States Government to resolve to whom the remaining installments of the National Service Life Insurance policy should be paid.

The status of rerep should, therefore, be changed to pending and you should report results of the court action as soon as information is received by your office.

It will not be necessary to submit amended pages since appropriate changes have been made on Bureau copies in ink.

82-2154-6
es
Daley 29

ADDRESS REPLY TO
UNITED STATES ATTORNEY
AND REFER TO
INITIALS AND NUMBER

United States Department of Justice

AJD:bsb

UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF CALIFORNIA
600 FEDERAL BUILDING
LOS ANGELES 12

May 5, 1955

✓ Mr. John F. Malone
Special Agent in Charge
Federal Bureau of Investigation
1340 W. 6th St.
Los Angeles, Calif.

Re: Bass v. United States, No. 16764-WM

Dear Sir:

Receipt is acknowledged of your Report dated April 20, 1955 in reference to the above entitled action.

The information contained in the above referred to Report constitutes all the information requested by this office for the case. Therefore, no further investigation is requested and you may mark your file closed.

We take this opportunity to express our appreciation of the work of Agent James E. Daley who handled the case for your office and informally furnished the present address of the co-defendant within a week.

Yours very truly,

Laughlin E. Waters

LAUGHLIN E. WATERS
United States Attorney

82-2154 - 7

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 6 1955	
FBI - LOS ANGELES	
J. E. Daley (P)	
(bsb)	

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT

LOS ANGELES

REPORT MADE AT <u>LOS ANGELES</u>	DATE WHEN MADE <u>6/20/55</u>	PERIOD FOR WHICH MADE <u>6/7/55</u>	REPORT MADE BY <u>JAMES E. DALEY (A)</u>
TITLE <u>JOHN SPEARS KINLOCH-XC 3928-183 CHARLOTTA A. BASS Vs. UNITED STATES; JAMES M. KINLOCH, Civil Action No. 16764-WM, U. S. District Court, Southern District of California</u>		CHARACTER OF CASE <u>WAR RISK INSURANCE (NATIONAL SERVICE LIFE INSURANCE)</u>	

SYNOPSIS OF FACTS:

Final hearing in this matter scheduled for 6/20/55.

- P -

DETAILS

AT LOS ANGELES:

A check of the civil docket Number 16764 WM in the office of the Clerk of the United States District Court reflected that on June 1, 1955 exhibits were filed by both the defendant and plaintiff. Assistant United States Attorney ANDREW DAVIS advised that a final hearing in this case was scheduled before Federal Judge WILLIAM C. MATHEWS on June 20, 1955.

- P -

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APPROVED AND FORWARDED: <u>3.</u>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES		
		<u>82</u>	<u>2154</u>	<u>8</u>
COPIES OF THIS REPORT <u>3 - Bureau 1 - USA, Los Angeles ② - Los Angeles (82-2154)</u>				
		<u>Con</u>		
		<u>4-6-55</u>		

LA 82-2154

UNDEVELOPED LEADS

LOS ANGELES OFFICE

AT LOS ANGELES, CALIFORNIA:

Will report the results of the final hearing in this case before Federal Judge WILLIAM C. MATHEWS June 20, 1955.

REFERENCE:

Report of SAA JAMES E. DALEY dated April 20, 1955 at Los Angeles.

ADMINISTRATIVE PAGE

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT **LOS ANGELES**

REPORT MADE AT LOS ANGELES	DATE WHEN MADE 7/14/55	PERIOD FOR WHICH MADE 6/28/55	REPORT MADE BY JAMES E. DALEY (A) Jep
TITLE JOHN SPEARS KINLOCH - XC 3928-188 CHARLOTTA A. BASS Vs UNITED STATES; JAMES M. KINLOCH, Civil Action No. 16764-WM, U. S. District Court, Southern District of California.		CHARACTER OF CASE WAR RISK INSURANCE (NATIONAL SERVICE LIFE INSURANCE)	

SYNOPSIS OF FACTS:

On 6/20/55 United States District Court, Los Angeles, ruled that Plaintiff BASS stood in loco parentis to the deceased veteran and was entitled to the maximum payment permitted by law under the Veteran's National Service Life Policy. When principal beneficiary died there remained to be paid forty-one installments of \$68.10 each or \$2,792.10.

- C -

DETAILS:

At Los Angeles, California:

A check of civil docket number 16764 WM in the office of the Clerk of the United States District Court reflected that on June 20, 1955 the Court ruled that CHARLOTTA BASS stood in loco parentis to the deceased veteran and was, therefore, entitled to the maximum payment permitted by law under the Veteran's National Service Life Insurance Policy. Assistant United States Attorney ANDREW DAVIS advised that the above decision entitled CHARLOTTA BASS to the remaining unpaid monthly payments under the policy issued to JOHN SPEARS KINLOCH, to the exclusion of JAMES M. KINLOCH.

When the principal beneficiary, VICTORINE SPEARS KINLOCH, mother of the veteran died October 25, 1951 she had received seventy-nine installments of \$68.10 each, leaving forty-one installments to be paid or \$2,792.10 under the National Service Life Insurance Policy.

- C -

APPROVED AND FORWARDED: <i>82-2154</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES <i>82-2154-9</i>		
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		<i>J. E. Daley 60</i>		

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ADMINISTRATIVE

This case had remained in a pending status in the Los Angeles Office to determine whether CHARLOTTA BASS or JAMES M. KINLOCH would be entitled to the remaining installments after the death of the principal beneficiary of the veteran.

One copy of this report is being designated for the New York Office for their information since defendant JAMES M. KINLOCH resides within the jurisdiction of that office.

REFERENCE

Report of SA JAMES E. DALEY (A) dated June 20, 1955 at Los Angeles.

ADMINISTRATIVE PAGE